

In re: Brader-Araje *et al.*
Serial No.: 09/549,370
Filed: April 13, 2000
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REMARKS

Applicants appreciate the thorough review of the present application that is reflected in the Office Actions dated July 1, 2003, October 4, 2003, May 3, 2004, October 25, 2004, June 27, 2005, December 27, 2005 and May 22, 2006. Applicants likewise appreciate the allowance of Claims 6, 8 and 9, and the indication that Claims 4 and 5 would be in condition for allowance if rewritten into independent form and amended to overcome the rejection under 35 U.S.C. § 112. Applicants have cancelled non-elected Claims 10-53 without prejudice to pursuing these claims via a divisional application. The following remarks address the remaining objections and claim rejections identified in the May 22, 2006 Office Action

I. The Objection to the Specification

The specification is objected to as containing numerous embedded hyperlinks. Applicants have amended the specification to delete each such embedded hyperlink.

II. The Rejections Under 35 U.S.C. § 112

Claims 4 and 5 stand rejected under 35 U.S.C. § 112 as depending from previously cancelled Claim 3. Applicants appreciate the Examiner calling this error to Applicants attention. Claim 4 has been amended to depend from Claim 1, thereby obviating the rejections under Section 112.

III. The Rejections Under 35 U.S.C. § 103

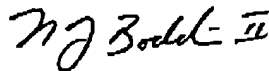
Claims 1-2 and 54 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,892,186 to Priest ("Priest") in view of U.S. Patent No. 6,549,904 to Ortega. The present application was filed on April 13, 2000. Priest is a United States Patent that issued from an application filed on September 13, 2000, claiming priority under 35 U.S.C. § 119 from an EP application and a Great Britain application. As the application that matured into Priest was filed after the present application, Priest is not prior art to the present application under 35 U.S.C. §§ 102(a) or 102(b). Moreover, Priest also is not prior art under 35 U.S.C. § 102(e) since priority claims under 35 U.S.C. § 119(a)-(d) do not count for purposes of determining the effective U.S. filing date of a U.S. Patent under 35 U.S.C. § 102(e). Thus, Priest is not prior art to the present application and, as such, the rejections of Claims 1-2 and 54 under 35 U.S.C. § 103 should be withdrawn.

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IV. Conclusion

Applicants respectfully submit that all of the pending claims are now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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